

## Chapter 240 Zoning Approval; Environmental Review; Fees and Deposits

### Sections:

240.02	Zoning Approval
240.04	Environmental Review
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### 240.02 Zoning Approval

To ensure that each new or expanded use of a site and each new, expanded, reconstructed or structurally altered structure complies with Titles 20-23, zoning approval shall be required prior to issuance of a building, grading, coastal development or demolition permit, certificate of occupancy, business license, or utility service connection. If any grading or scraping is proposed as part of a project, a survey of existing topography on the site and adjacent land within 5 feet of the site boundaries and any proposed changes in topography shall be submitted to the Director for review and approval prior to issuance of a building permit, grading permit, or demolition permit. The contours of the land shall be shown at intervals of not more than 5 feet. Grading or stockpiling which involves 25,000 cubic yards or more of import or export shall be referred to the Planning Commission for review and approval prior to issuance of the grading or stockpile permit.

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### 240.04 Environmental Review

- A. Purpose. The purpose of this section is to implement the California Environmental Quality Act of 1970 (CEQA). This section shall apply to all permits or entitlements, not otherwise exempt, requiring discretionary action by the City. The City Council shall by resolution adopt policies, objectives, criteria, and procedures regulating environmental evaluation of public and private projects. This section and the provisions adopted by resolution provide the basic principles, objectives, criteria, procedures, and definitions to ensure consistent implementation of the California Environmental Quality Act.
- B. Establishment of Environmental Assessment Committee. There is hereby established an Environmental Assessment Committee consisting of the Director of Community Development, the Director of Public Works, and the City Attorney, or a designated representative of each. A quorum shall require at least two members.
- C. The Environmental Assessment Committee shall have responsibility for evaluating the environmental impact of all discretionary projects, determine the appropriate environmental documentation required for compliance with CEQA and make recommendations to the discretionary body to adopt or deny a negative declaration or environmental impact report, consistent with State and local law.

- D. Administration. The Director shall be responsible for:
1. Preparing and processing all environmental documents necessary to comply with CEQA, the guidelines of the California State Resources Agency as authorized under the Public Resources Code Section 21083, and such additional provisions as may be adopted by the City of Huntington Beach; and
  2. Contracting for private, professional consultation for preparation of environmental impact reports.
- E. Environmental Determination. Prior to any project approval, the discretionary body shall first act upon the negative declaration or the environmental impact report (EIR). The discretionary body acting on the project may adopt the negative declaration or may reject it and require an environmental impact report. The discretionary body may certify the environmental impact report or reject it, if deemed incomplete.
- F. Mitigation Measures. Any feasible change or alteration to the project which avoids or substantially lessens the significant environmental impacts identified in the negative declaration or final EIR shall be incorporated as a condition of approval imposed on the project. The condition of approval shall also describe the time period and the manner in which the mitigation measure must be satisfied.
- G. Monitoring and Reporting Program. The City requires a reporting or monitoring program be prepared to ensure compliance of mitigation measures during project implementation. The project applicant shall be responsible for ensuring completion of the program and shall submit to the City reports indicating the status of compliance. The City may obtain or require an independent analysis of any completed reports submitted as required by a mitigation measure. The cost of the analysis shall be paid by the project applicant.
- Prior to final inspection the monitoring program report shall be completed and accepted by the City. A separate report may be required for each phase of a project constructed in phases.
- H. Appeal. Any decision of the committee may be appealed to the discretionary body which has original jurisdiction over approval of the project as provided in this code. The appeal shall be heard prior to the discretionary body's action on the project.

## **240.06 Fees and Deposits**

All persons submitting applications for any permits, certificates, development agreements, map approvals, or zoning map or text amendments, or any other approvals as required by this ordinance code, or filing appeals shall pay all fees and/or deposits as provided by the City Council's resolution or resolutions establishing applicable fees and charges.